

December 10, 2002

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Charles E. Ader, Chairman **/RA/**
Committee To Review Generic Requirements

SUBJECT: MINUTES OF THE COMMITTEE TO REVIEW GENERIC
REQUIREMENTS MEETING NUMBER 378

The Committee To Review Generic Requirements (CRGR) held special Meeting No. 378 on November 18, 2002, from 2:30 P.M. to 4:30 P.M., with the attendees listed in Attachment 1. The purpose of this meeting was to review the "Proposed Criteria for the Treatment of Individual Requirements in a Regulatory Analysis" (ADAMS Accession No. ML023050416). The slide presentation can be found in ADAMS, Accession No. ML023100028.

Ms. Tammy Croote, briefed the CRGR on the "Proposed Criteria for the Treatment of Individual Requirements in a Regulatory Analysis." The proposed criteria are intended to address concerns raised about "bundling" or aggregating individual components of a larger regulatory initiative in a single regulatory analysis. The concerns raised are that such a practice may show that an overall regulatory initiative is justified, but likely will not illuminate whether there are separable components of the regulatory initiative that are not justified and hence should not be included in the overall regulatory initiative.

Overall, the CRGR found that the proposed criteria would provide improved guidance to staff for the treatment of individual requirements in regulatory analyses. However, the CRGR questioned whether it was clear in the guidance that for actions subject to the backfit rule, that the backfit process would not be circumvented by the bundling of the actions.

The staff responded by stating that, although there is guidance that emphasizes and cautions the staff to recognize potential imbedded backfit items while bundling voluntary actions or changes, text will be included to explain that these criteria do not change the application of the backfit rule.

CRGR also recommended other changes for the purpose of clarifying various sections of the package. The staff agreed to incorporate the CRGR comments in the revised criteria.

Subsequent to this CRGR meeting, the staff provided the Chairman with the revisions that satisfactorily addressed the CRGR concerns (ML023330099).

cc: Chairman Meserve
 Commissioner Dicus
 Commissioner Diaz
 Commissioner McGaffigan
 Commissioner Merrifield

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OFFICE	RES/CRGR		RES/CRGR				
NAME	L. Cupidon		C. Ader				
DATE	12/10/02		12/10/02		/ /02		/ /02

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MEMO DATED: 12/ /02

SUBJECT: MINUTES FOR THE COMMITTEE TO REVIEW GENERIC REQUIREMENTS
MEETING NUMBER 378

cc w/atts:

Mail Stop

Annette Vietti-Cook, Secretary of the Commission	O-16 C1
William D. Travers, EDO	O-16 E15
William F. Kane, DEDR	O-16 E15
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Frank J. Congel, OE	O-14 E1
Hubert T. Bell, OIG	T-5 D28
Karen D. Cyr, OGC	O-15 D21
John T. Larkins, ACRS	T-2 E26
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E. William Brach, NMSS	O-13 D13
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Brian W. Sheron, NRR	
R. William Borchardt, NRR	O-5 E7
Gary Holahan, NRR	O-10 A1
Ashok C. Thadani, RES	T-10 F12
Jack R. Strosnider, RES	
G. Mizuno, OGC	
Janice Moore, OGC	
K. Winsberg, OGC	O-15D21
W. Beecher, OPA	O-2 A13
H. Miller, Region I	
L. Reyes, Region II	
B. Mallett, Region II	
J. Dyer, Region III	
E. Merschoff, Region IV	
Christopher I. Grimes, NRR/DRIP/RPRP	
Tammy D. Croote, NRR/DRIP/RPRP	
Brian E. Thomas, NRR/DRIP/RPRP	
Brian J. Richter, NRR/DRIP/RGEB	
Sidney E. Feld, RES/DSARE/REAHFB	
Clark W. Prichard, NMSS/IMNS/RGB	
Mark F. Haisfield, NMSS/IMNS/RGB	
Ramin R. Assa, ACRS/ACNW	

CRGR MEETING No. 378
LIST OF ATTENDEES
(November 18, 2002)

CRGR Members

Charles E. Ader, Chairman
Brian W. Sheron, NRR
Margaret V. Federline, NMSS
Kathryn L. Winsberg, OGC (for Janice E. Moore, OGC)
Jack R. Strosnider, RES
Bruce S. Mallett, RII

Les Cupidon, CRGR Staff

NRR Staff

Christopher I. Grimes, NRR/DRIP/RPRP
Tammy D. Croote, NRR/DRIP/RPRP
Brian E. Thomas, NRR/DRIP/RPRP
Brian J. Richter, NRR/DRIP/RGEB

OGC Staff

Geary S. Mizuno, OGC

RES Staff

Sidney E. Feld, RES/DSARE/REAHFB

NMSS Staff

Clark W. Prichard, NMSS/IMNS/RGB
Mark F. Haisfield, NMSS/IMNS/RGB

ACRS Staff

Ramin R. Assa, ACRS/ACNW